REMARKS

This application contains claims 1-30. Claims 1 and 13 are hereby amended. No new matter has been introduced. Reconsideration is respectfully requested.

Claims 1-24 and 30 were rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter. Applicant has amended independent claims 1 and 13 in order to overcome this rejection.

The Examiner stated in the Advisory Action that "merely assigning a label to a field or reading contents in a field is merely an abstract idea having no real world application and does not produce a tangible result because 'reading' and 'assigning' a label does not necessarily mean the label is displayed on the document which would produce a tangible result." Display of labels is not disclosed in the present patent application, but arranging field contents in a database record is (page 8, line 30 – page 9, line 2, in the specification). Claims 1 and 13 have been amended to recite this added feature of the present invention. Database recording, like the data display function mentioned by the Examiner, is a tangible, internal function of the data organization in the computer that is manifested in certain externally-available arrangements of the data in question. (Applicant notes parenthetically that the claims in U.S. Patents 6,662,340 and 6,535,883, cited below, are similarly directed to creating and modifying certain arrangements of data.)

In view of this amendment, claims 1 and 13 are believed to meet the requirements of 35 U.S.C. 101, as are claims 2-12, 14-24 and 30, which depend from these independent claims.

Claims 1-3, 6-10, 13-15, 18-22 and 25-30 were rejected under 35 U.S.C. 103(a) over Rawat et al. (U.S. Patent 6,662,340) in view of Lee et al. (U.S. Patent 6,535,883). Applicant respectfully traverses this rejection.

Independent claims 1, 13 and 25 recite a method, apparatus and computer software product for processing a document after contents have been filled into the fields on the document. The contents are read out by machine, which uses the contents in assigning labels to the fields, responsive to rules that are applicable to the contents. The claimed invention, in other words, permits the labels of the fields to be identified

automatically based on the field contents, rather than relying on explicit labeling of the fields in the document itself.

Rawat describes a "client-side form filler that populates form fields... without previous examination or mapping of the form" (title). In rejecting the claims in the present patent application, the Examiner relied on descriptions in Rawat of "means for assigning labels for fields lacking a label (or tag)." The Examiner cited Rawat's abstract; col. 3, lines 30-45; and col. 7, lines 1-35, in support of the rejection. The Examiner indicated that this aspect of Rawat's disclosure would have led a person of ordinary skill in the art to combine Lee's validation rules with Rawat's methods of label assignment because, according to the Examiner, Rawat showed that "it was desirable to provide labels for fields lacking labels...."

As Applicant pointed out in response to the above-mentioned Final Official Action, Rawat was filed May 30, 2002, i.e., after the filing date of the present patent application, as a continuation-in-part of U.S. Patent Application 09/561,449, filed April 28, 2000 (which recently issued as U.S. Patent 6,981,028). Thus, Rawat is effective as prior art against the claims in the present patent application only to the extent that the '028 Patent discloses the subject matter that is cited against the claims in the present patent application. According to the Examiner's reasoning that is quoted above, the '028 Patent must show, *inter alia*, that "it was desirable to provide labels for fields lacking labels...." Any disclosure made by Rawat that does not also appear in the '028 Patent is ineffective as prior art against the present patent application.

As noted in response to the Final Official Action, however, the '028 Patent contains no mention whatsoever of fields lacking labels (or tags) and how such a field might be handled. The '028 Patent assumes that field name strings are available in on-line forms, and compares these strings to a database of known field names in order to "map" the form and then fill in the appropriate user data (col. 15, lines 4-37). By contrast, as noted above, Rawat explicitly deals with populating form fields "without previous examination or mapping of the forms." In reply to this point, the Examiner stated in the Advisory Action that "U.S. Patent 6,981,028 does provide support for a label when the

patent compares field name strings (i.e. labels) to the database of known field names (i.e. labels) in order to map the form and fill in the appropriate user data." Even if this statement were conceded to be true, it misses the point for which the Examiner cited Rawat in the first place: not merely for reading field labels in an on-line form, but rather – in the Examiner's own words - as a method of "assigning a label to fields that do not have labels." The '028 Patent fails even to hint that there might be a problem of unlabeled fields, let alone suggesting a solution to the problem.

Thus, the '028 Patent clearly fails to support the very subject matter that the Examiner cited in Rawat. The '028 Patent does not provide any motivation that would have led a person of ordinary skill in the art to derive field labels from any source other than the known field name strings that already appear in the form itself. The '028 Patent deals with "mapping" of forms in order to permit content to be automatically filled into the form. Mapping the field labels, therefore, must be accomplished before any user data ("content") can even be filled in. Under these circumstances, it simply makes no sense to argue that Rawat could have suggested the idea of looking to the content (which has yet to be filled in) for assistance in assigning labels to unlabeled fields.

Lee describes a system and method for creating validation rules for confirming input data. Validation rules are associated with corresponding field names and are used to test the contents of each field entered by the user to ensure that the field is filled out correctly (col. 2, lines 30-35). In other words, Lee assumes that the field name is known, and on this basis applies the appropriate rules to validate the contents of that field. Lee makes not the slightest suggestion that his validation rules could be applied in the opposite direction, to assign labels by applying rules to content, as required by the claims in the present patent application.

Thus, neither Rawat (to the extent supported by U.S. Patent 6,981,028) nor Lee teaches or suggests the notion of assigning labels to fields responsive to application of rules to the contents of the fields, as required by independent claims 1, 13 and 25 in this patent application. These independent claims are therefore believed to be patentable over

the cited art. In view of the patentability of these independent claims, dependent claims 2, 3, 6-10, 14, 15, 18-22 and 30 are also believed to be patentable.

Claims 26-29 recite a method, apparatus and computer software product for computerized data processing using geometrical rules that indicate an expected geometrical relationship between two or more filled-in fields in a form. These rules are used in assigning labels to the fields responsive to the information that has been filled into the fields.

Claim 26 was rejected for the same reasons as claim 1, while claims 27-29 were rejected on the added rationale that Rawat discloses mapping of a current field based on the mapping of the preceding field. As explained above, however, neither Rawat (to the extent supported by the '028 Patent) nor Lee teaches or suggests the notion of assigning labels to fields responsive to application of rules to the contents of the fields, as required by claims 26-29. Therefore, claims 26-29 are believed to be patentable over the cited art.

Dependent claims 4, 5, 11, 12, 16, 17, 23 and 24 were rejected over Rawat in view of Hetherington (U.S. Patent Application Publication 2002/0010714) or Gupta et al. (U.S. Patent 6,199,079). Applicant respectfully traverses this rejection. None of these references teaches or suggests the notion of assigning labels to fields responsive to application of rules to the contents of the fields, as required by independent claims 1 and 13, from which claims 4, 5, 11, 12, 16, 17, 23 and 24 depend. As explained above, even the addition of Lee does not remedy this shortcoming of the cited art. Therefore, claims 4, 5, 11, 12, 16, 17, 23 and 24 are believed to be patentable.

Notwithstanding the patentability of the independent claims in this application, the dependent claims are also believed to recite independently-patentable subject matter. For the sake of brevity, however, Applicant will refrain from arguing the independent patentability of the dependent claims at present.

Applicant believes the amendments and remarks presented hereinabove to be fully responsive to all of the grounds of rejection raised by the Examiner. In view of these amendments and remarks, Applicant respectfully submits that all of the claims in the present application are in order for allowance. Notice to this effect is hereby requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: June 21, 2006

Respectfully submitted,

By _____

S. Peter Ludwig
Registration No.: 25,351
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant